

PROB 12C  
(6/16)

Report Date: September 30, 2021

United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 30, 2021

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jennifer Gomez

Case Number: 0980 2:15CR00069-RMP-3

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U. S. District Judge

Date of Original Sentence: October 27, 2016

Original Offense: Conspiracy to Distribute a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. §§ 841(a)(1), (b)(1)(C)(viii) and 846.

Original Sentence: Prison - 37 months  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: March 7, 2018

Defense Attorney: Douglas Phelps

Date Supervision Expires: March 12, 2023

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**PETITIONING THE COURT**

To issue a summons.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

**Special Condition #19:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Jennifer Gomez is alleged to violate her supervised release conditions by testing positive for methamphetamine on September 16, 2021.

On March 12, 2018, conditions of release were reviewed and signed by Ms. Gomez, acknowledging and understanding special condition number 19, which requires her to abstain from illegal controlled substances.

On September 16, 2021, Ms. Gomez reported to the probation office and submitted a urinalysis (UA) which tested presumptive positive for methamphetamine. During the office visit, this officer informed Ms. Gomez, her UA was presumptive positive for methamphetamine. Ms. Gomez said she only consumed a Monster energy drink and wondered if that could cause a positive. This officer explained to Ms. Gomez a Monster energy drink does not cause a false positive, but would send the specimen to Alere Toxicology Services (Alere) for further analysis for controlled substances. Ms. Gomez stated

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she knew she did not consume any drugs, so she would like the sample sent to Alere. The UA was sent to the Alere for confirmation.

On September 21, 2021, Supervisory United States Probation Officer (SUSPO) Zepeda and this officer conducted a home inspection of Ms. Gomez's residence. During the home inspection, Ms. Gomez asked if we received the results from her UA. We informed Ms. Gomez we had not yet received the results, but would let her know as soon as we did. Ms. Gomez again adamantly denied using any controlled substances and knew the UA would come back negative.

On September 27, 2021, this officer received the results from the Alere., showing the urine sample collected on September 16, 2021, was confirmed positive for the presence of amphetamine/methamphetamine and was diluted. This officer contacted Ms. Gomez by telephone and directed her to report to the probation office to discuss the positive test results from Alere. Ms. Gomez agreed to report to probation after work. At approximately 3:05 p.m., Ms. Gomez reported as instructed. This officer informed Ms. Gomez we received her UA results from Alere confirming a positive reading for amphetamine and methamphetamine. This officer showed the printout containing the positive results to Ms. Gomez. She continued to deny consuming any controlled substances. Ms. Gomez stated she did not consume any drugs, so she would not admit to anything she did not do.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegation contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 30, 2021

s/Kyle Mowatt

Kyle Mowatt  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action  
☐ The Issuance of a Warrant  
☒ The Issuance of a Summons  
☐ Other



\_\_\_\_\_  
Signatures of Judicial Officer

9/30/2021

\_\_\_\_\_  
Date